

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
TEXARKANA DIVISION**

**CATHX RESEARCH LTD.,**

Plaintiff,

v.

**VOYIS IMAGING, INC. A/K/A 2G  
ROBOTICS INC.,**

Defendant.

Civil Action No.: 5:21-cv-00077-RWS

**JOINT MOTION TO TAKE EXPERT DEPOSITION OUT OF TIME**

Plaintiff Cathx Research Ltd. (“Cathx”) and Defendant Voyis Imaging, Inc. a/k/a 2G Robotics Inc. (“Voyis”) respectfully file this Motion to permit Voyis to take the deposition of Cathx’s expert witness Dr. Patrick Hudson pursuant to Rule 26(b)(4)(A) on October 4, 2023, after the close of expert discovery on September 27, 2023 (*see* Dkt. No. 202).

Dr. Hudson’s deposition was set to proceed in-person on September 22, 2023. Counsel for both parties and the witness were present at the deposition. However, the parties subsequently agreed to reschedule the deposition out of an abundance of caution in light of an attendee being ill.

Dr. Hudson is not available to be deposed until October 4, 2023, which is after the close of expert discovery. The parties agree that taking Dr. Hudson’s deposition shortly after the close of expert discovery will not prejudice either party and will not affect any pending case deadlines. This Motion therefore satisfies the Court’s standard for granting leave to take an expert deposition out of time. *See, e.g., VirnetX, Inc. v. Apple Inc.*, No. 6:12-cv-855-RWS, (Dkt. No. 877) (E.D. Tex. July 2, 2020). The parties have conferred, and this Motion is being filed jointly.

Dated: September 25, 2023

Respectfully submitted,

By: /s/ Edward L. Bishop

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By: /s/ Mircea A. Tipescu

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*Attorneys for Defendant 2G Robotics Inc.  
a/k/a Voyis Imaging, Inc.*

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that counsel of record who are deemed to have consented to electronic service are being served with a true and correct copy of the foregoing JOINT MOTION TO TAKE EXPERT DEPOSITION OUT OF TIME via the Court's CM/ECF system this September 25, 2023. Any other counsel of record will be served by electronic and/or first-class mail.

/s/ Mircea A. Tipescu  
Mircea A. Tipescu